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7 Attorneys for Defendant Marie Callender's Pie  
 8 Shops, Inc. d.b.a. Marie Callender's #254

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10 **UNITED STATES DISTRICT COURT**  
 11 **SOUTHERN DISTRICT OF CALIFORNIA**

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 13 OUTERBRIDGE ACCESS  
 ASSOCIATION, SUING ON BEHALF OF  
 14 DIANE CROSS; and DIANE CROSS, An  
 Individual,

16 Plaintiff,

17 vs.

18 MARIE CALLENDER'S PIE SHOPS,  
 19 INC. d.b.a. MARIE CALLENDER'S #254;  
 PACIFIC BAGELS, LLC d.b.a.  
 20 BRUEGGARS BAGELS; COURTYARD  
 HOLDINGS, LP; PSS PARTNERS, LLC;  
 21 AND DOES 1 THROUGH 10, Inclusive,

22 Defendants.

Case No. 07-CV-2129 BTM (AJB)

23  
**REQUEST FOR JUDICIAL NOTICE  
 IN SUPPORT OF DEFENDANTS (1)  
 MOTION TO DISMISS PORTIONS  
 OF PLAINTIFFS' COMPLAINT AND  
 (2) FOR ORDER DECLINING  
 SUPPLEMENTAL JURISDICTION**

24  
*[Notice of Motion, Memorandum of Points  
 and Authorities and Appendix of Foreign  
 Authorities filed concurrently herewith]*

25 Date: January 25, 2008  
 Time: 11:00 a.m.  
 Ctrm: 15

26 \**Per Chambers, no oral argument unless  
 required by the court.*

27 Complaint Filed: November 7, 2007  
 Trial Date: None Set

1       Defendant Marie Callender's Pie Shops, Inc. d.b.a. Marie Callender's #254  
2 hereby requests pursuant to Rule 201 of the Federal Rules of Evidence, that the Court  
3 take judicial notice of the following:

4       1. Plaintiffs' Complaint, dated November 7, 2007. A true and correct copy of  
5 the foregoing document is attached hereto as Exhibit A.

6  
7 Dated: November 29, 2007

CALL, JENSEN & FERRELL  
A Professional Corporation  
Scott J. Ferrell  
Lisa A. Wegner

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10 By: /s/Lisa A. Wegner  
11 Attorneys for Defendant Marie Callender's  
12 Pie Shops, Inc. d.b.a. Marie Callender's #254  
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